

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SMALL BUSINESS ASSOCIATION OF
MICHIGAN, *et al.*,

Plaintiffs,

v.

JANET YELLEN, in her official capacity as
the Secretary of the United States
Department of the Treasury, *et al.*,

Defendants.

Case No. 1:24-cv-314

Hon. Robert J. Jonker

UNOPPOSED MOTION TO MODIFY BRIEFING SCHEDULE

On April 26, 2024, the Court issued a Case Management Order, setting the briefing schedule for the parties' motions for summary judgment. ECF No. 24, PageID.594. Defendants request a modification of that briefing schedule. Specifically, as set forth in the accompanying proposed order, Defendants request that their deadline to respond to Plaintiffs' motion for summary judgment be extended from June 28, 2024 to July 8, 2024, Plaintiffs' deadline to file a reply and response to Defendants' cross-motion be extended from July 12, 2024 to July 26, 2024, and Defendants' deadline to file their reply be extended from July 26, 2024 to August 9, 2024.

This motion is unopposed. On June 11, 2024, Defendants' counsel conferred with Plaintiffs' counsel about a potential modification to the briefing schedule, and the parties reached agreement on the dates proposed here.

Defendants respectfully assert that good cause supports the granting of this motion. The requested modifications—which will extend the parties' respective deadlines by 10 to 14 days—will allow Defendants' counsel to adequately prepare Defendants' filings in this case and to meet

conflicting deadlines in other pending matters. The proposed schedule also accounts for personal travel by counsel for both parties. Defendants' counsel's upcoming conflicts include an oral argument scheduled for June 17, another oral argument set for June 20, a motion for summary judgment due June 20, an opposition to a forthcoming motion for a preliminary injunction in a case challenging a rule with a June 28 effective date, personal travel during the week of July 15, and a summary judgment reply due July 25. As noted above, the proposed schedule also seeks to account for pre-existing personal commitments by Plaintiffs' counsel.

DATE: June 12, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

DIANE KELLEHER
Assistant Branch Director

/s/ Michael J. Gaffney
MICHAEL J. GAFFNEY
CHRISTIAN S. DANIEL
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L St. NW
Washington, DC 20005
Tel: (202) 514-2356
Email: michael.j.gaffney@usdoj.gov

Counsel for Defendants